

Interview Summary Okay -- /E.D./ 05/09/2008

REMARKS

Applicants have reviewed the Office Action mailed September 14, 2007 (the "Office Action") in connection with the instant patent application and have considered the new grounds of rejection presented therein.

Applicants thank the Examiner for withdrawing the rejections under 35 U.S.C. §§ 101, 112 (¶1), and 112 (¶2), and also for his indication that he will attend, to the extent possible, to Applicants' request for PTO records to be updated in respect of the receipt date of various filings.

Statement of Substance of Interview held October 9, 2007

Applicants' representative, the undersigned, thanks Examiner DeJong and Supervisory Examiner Moran ("the Examiners") for courtesies extended to the undersigned on the occasion of a telephonic interview (the "Interview") to discuss rejections of record, on October 9, 2007. Applicants now provide a statement of substance of the interview, as required by MPEP § 713.04.

The Interview addressed both the propriety and the underlying substance of the newly issued rejection under 35 U.S.C. § 103. Applicants' representative pointed out that the articulation of the current rejection under 35 U.S.C. § 103 as it applied to Biggin did not take into account Applicants' remarks made previously of record in the Amendment and Response filed September 27, 2006, following which a previous rejection over Biggin was overcome. The Examiners were of the view that the rejection under 35 U.S.C. § 103 was properly founded but invited Applicants to provide a rebuttal in full. Applicants' representative further attempted to solicit from the Examiners an additional understanding as to the grounds of alleged obviousness of Applicants' claims in an effort to facilitate providing a full response. Other than an indication that evidence of demonstrated success of the claimed invention would be welcomed if submitted in response to the rejection, the Examiners offered no further insights into the grounds of alleged obviousness.